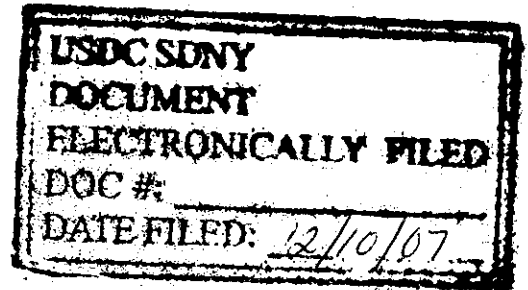


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
BERT VLADIMIR, individually and on behalf of all :
others similarly situated, :

Plaintiffs, :

-against- :

07 Civ. 6416 (SHS) (AJP)

ORDER

BIOENVISION, INC., CHRISTOPHER B. WOOD, :
JOSEPH P. COOPER, STEVEN A. ELMS, :
JAMES S. SCIBETTA & PERSEUS-SOROS :
BIOPHARMACEUTICAL FUND, LP, :

Defendants. :

----- x
ANDREW J. PECK, United States Magistrate Judge:

The Court has reviewed (and signed) the "Stipulation and Proposed Order" extending the briefing schedule on defendants' motion to dismiss. That Stipulation reveals that newly added defendant Perseus-Soros is represented by my former law firm, Paul, Weiss, Rifkind, Wharton & Garrison. It is my general practice to recuse from Paul Weiss cases, although not technically required. I will be issuing my Opinion on the lead plaintiff issue as per my prior Order deciding same.

The parties shall jointly advise me, by December 30, 2007, whether: (a) any party wants me to recuse hereafter because of Paul Weiss's involvement, in which case I will, or (b) if no

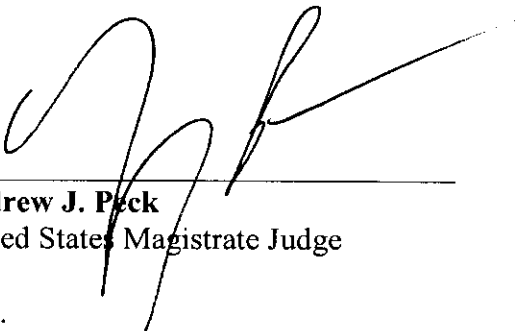
CAOPIN\

party wants me to recuse, do the parties want the motion to dismiss to be decided by Judge Stein or, as with the lead plaintiff motion, by me pursuant to 28 U.S.C. § 636(c).

Mr. Squitieri shall coordinate the response to this Order.

SO ORDERED.

Dated: New York, New York
December 10, 2007



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Olimpio Lee Squitieri, Esq.
Robert I. Harwood, Esq.
Jason D'Agnenica, Esq.
Christopher G. Green, Esq.
Lee S. Gayer, Esq.
Richard A. Rosen, Esq.
Alexis L. Shapiro, Esq.
Glenn S. Kerner, Esq.
Judge Sidney H. Stein